

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	)	CHAPTER 7
	)	
DARRELL WAYNE REED,	)	CASE NO. 17-72264-PWB
	)	
DEBTOR.	)	

**NOTICE OF HEARING ON  
UNITED STATES TRUSTEE'S MOTION  
TO EXTEND DEADLINE**

**PLEASE TAKE NOTICE** that the United States Trustee has filed a Motion to Extend Deadline.

**PLEASE TAKE FURTHER NOTICE** that the Court will hold a hearing on the United States Trustee's Motion in **Courtroom 1401, Richard Russell Bldg, 75 Ted Turner Dr. SW, Atlanta, Georgia 30303, at 10:00 a.m. on, October 23, 2018.**

Your rights may be affected by the court's ruling on this motion. You should read this motion carefully and discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in this motion or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the motion with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver

your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Room 1340, Richard Russell Bldg, 75 Ted Turner Dr. SW, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: October 1, 2018

DANIEL M. McDERMOTT,  
UNITED STATES TRUSTEE,  
REGION 21

*s/ Martin P. Ochs*

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MARTIN P. OCHS

NY Bar No. MO-1203

GA Bar No. 091608

United States Department of Justice

Office of the United States Trustee

362 Richard B. Russell Building

75 Ted Turner Dr., S.W.

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**MOTION TO EXTEND DEADLINE**

COMES NOW Daniel M. McDermott, United States Trustee for Region 21 (the “United States Trustee”), and, pursuant to Federal Rule of Bankruptcy Procedure 4004(b), moves the Court to enter an order extending time to object to discharge. In support of this motion, the United States Trustee shows as follows.

1.

On December 29, 2017, Michael Darrell Wayne Reed commenced this case by filing a voluntary petition for relief under chapter 7 of the United States Bankruptcy Code.

2.

On September 14, 2018, SYNOVUS BANK, a Georgia banking corporation, formerly known as Columbus Bank and Trust Company, a Georgia banking

corporation, successor in interest by merger with Bank of North Georgia, a Georgia banking company, filed a complaint (the “Complaint”) against Mr. Reed pursuant to Bankruptcy Code sections 727(a)(2), 727(a)(4)(A), and 523(a)(2).

3.

The allegations in the Complaint include false representations by Mr. Reed of his income, concealment of certain income, concealment of certain vehicles, concealment of his interest in certain deposit accounts and other accounts, and false oaths by Mr. Reed on his bankruptcy petition, schedules and statement of financial affairs and at his 341 meeting.

4.

Mr. Reed has not yet filed an answer.

5.

The complaint came to the United States Trustee’s attention on September 24, 2018, when the chapter 7 trustee in this case sent the Complaint to the United States Trustee.

6.

The chapter 7 trustee advised the United States Trustee that he was previously unaware of the facts and circumstances raised in the Complaint.

7.

Federal Rule of Bankruptcy Procedure 4004(a) provides that in a chapter 7 case a complaint objecting to discharge must be filed no later than 60 days after the first date set for the section 341(a) meeting of creditors. The deadline for filing a complaint under section 727 was March 26, 2018. The Clerk has not yet entered a discharge in this case.

8.

Federal Rule of Bankruptcy Procedure 4004(b) provides that “[a] motion to extend time to object to discharge may be filed after the time for objection has expired and before discharge is granted if (A) the objection is based on facts that, if learned after the discharge, would provide a basis for revocation under §727(d) of the Code, and (B) the movant did not have knowledge of those facts in time to permit an objection.”

9.

The United States Trustee wishes to review this case under section 727 to determine whether there is a basis for filing a complaint to deny discharge in this case.

WHEREFORE, the United States Trustee requests the Court extend the deadline for the United States Trustee to file a complaint to deny discharge. The United States Trustee requests the deadline be extended to November 16, 2018.

DANIEL M. McDERMOTT,  
UNITED STATES TRUSTEE,  
REGION 21

*s/ Martin P. Ochs*

MARTIN P. OCHS

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### **CERTIFICATE OF SERVICE**

I certify that on October 1, 2018, I served a copy of this motion upon the following persons by First Class U.S. Mail with proper postage.

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*s/ Martin Ochs*  
Martin P. Ochs